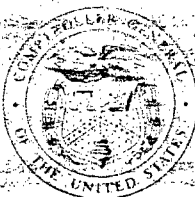


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DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

[Reimbursement for Transportation of Household Goods and Temporary Quarters Subsistence]

FILE: B-196774

DATE: August 19, 1980

MATTER OF: Joseph B. Marcotte, Jr.

- DIGEST:
1. Employee whose household effects were shipped under "actual expense" method, seeks monetary credit for value of packing services he provided. Under "actual expense" method contract for shipment is between Government and carrier. As there is no regulation under the "actual expense" method which authorizes an allowance for services voluntarily provided by an employee, even though the expense of such services would be reimbursable if provided by an authorized carrier, employee may not be credited for value of packing services.
 2. Employee who occupied temporary quarters at new duty station was disallowed reimbursement for expenses of groceries on basis that Regional Office required receipts for all grocery expenses. Paragraph 2-5.4b of the Federal Travel Regulations (FPMR 101-7) (May 1973), in effect, provides head of agency with discretion to require receipts for subsistence expenses other than for lodging and laundry and cleaning expenses, for which receipts are required by the FTR. As agency-wide regulations do not require receipts for groceries or delegate authority to require receipts, but require only that such claims be reasonable in amount, claim may be allowed if otherwise proper.

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This action is in response to a request by Mr. Willis H. Staley, an authorized certifying officer of the Department of the Interior, Water and Power Resources Service, Upper Missouri Region (formerly the Bureau of Reclamation), as to whether Mr. Joseph B. Marcotte, Jr., an employee of the Service is entitled to additional reimbursement for transportation of household goods and temporary quarters subsistence expenses in connection with an intra-agency transfer from Pueblo, Colorado, to Billings, Montana.

Transportation of Household Goods

The record shows that incident to his transfer Mr. Marcotte's household goods were shipped under a Government Bill of Lading (GBL) from Pueblo, Colorado, to Billings, Montana, as authorized by travel order dated November 7, 1978. The total weight of the shipment was 14,700 pounds. As section 5724(a)(2) of title 5, United States Code, provides that the maximum weight of household goods authorized to be transported incident to a transfer is 11,000 pounds net, the Bureau disallowed his claim for reimbursement for the excessive weight of household goods.

Mr. Marcotte now claims additional reimbursement for the transportation of his household goods on the basis that he packed his own household goods for shipment and that the value of such services, estimated by the moving company to be \$425.30, should be credited against his liability for the cost of shipping household goods in excess of the maximum weight limitation. He states that he was advised by an agency official that he could reduce the costs he would incur incident to the shipment of the excessive weight of household goods if he would pack his own household goods.

As set forth above, Mr. Marcotte's household goods were shipped on a GBL by the "actual expense" method of shipment. Under this method the contract for shipment is between the Government and a designated carrier and the Government makes payment directly to the carrier. See paragraph 2-8.3b of the Federal Travel Regulations (FTR) (FPMR 101-7), May 1973. There is no regulation under the "actual expense" method,

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which authorizes an allowance for services voluntarily provided by an employee, even though the expense of such services would be reimbursable if provided by an authorized carrier. B-169407, October 19, 1970; and Matter of Alex Kale, 55 Comp. Gen. 779 (1976). Accordingly, there is no basis upon which Mr. Marcotte may be reimbursed for packing his household goods shipped under the actual expenses method.

As to Mr. Marcotte's claim that he was led to understand that he would receive a credit for the value of the packing services he provided, it is well established that the Government cannot be bound by the unauthorized or incorrect statements of its agents or employees. See Matter of Elton L. Smalley, B-181311, August 21, 1974, and court cases cited therein. We point out, however, that by packing his own household goods, Mr. Marcotte did in fact reduce his liability for the cost of the excess weight shipped by virtue of the fact that costs of packing such excess weight were not incurred.

In accordance with the above, Mr. Marcotte is not entitled to receive a credit for the value of the packing services he rendered and he remains liable for the \$680.18 cost of shipping the excess weight of household goods.

Temporary Quarters Subsistence Expenses

The record shows that incident to his transfer to Billings, Montana, Mr. Marcotte occupied temporary quarters there during the period from November 26, 1978, to December 20, 1978. While he occupied temporary quarters he incurred expenses in the total amount of \$375.41 of which \$105.51 was for the purchase of groceries. The Water and Power Resources Service has disallowed his claim for reimbursement for the cost of groceries on the basis that Mr. Marcotte has not provided receipts as required by its Upper Missouri Region. The requirement for receipts is stated in a handout given to all employees transferring to or within the Upper Missouri Region.

Mr. Marcotte states that he did not retain receipts for groceries purchased in reliance on a Bureau of Reclamation document he received entitled "Information for Employees

Transferring at Government Expense," revised January 1978. The information sheet provides in pertinent part that receipts are required for lodging, laundry and cleaning and for "all single expenditures in excess of \$15.00 * * *". As none of his daily purchases of groceries was in excess of \$15 he did not retain receipts for grocery expenses but recorded such expenses on a daily log he maintained. Mr. Marcotte states that it was not until he prepared his claim that he became aware that the document upon which he relied was for the Lower Missouri Region and that the Upper Missouri Region, to which he had transferred, requires receipts for purchases of groceries in any amount.

Regarding the itemization of temporary quarters subsistence expenses and receipts therefor paragraph 2-5.4b of the FTR provides as follows:

"b. Itemization and receipts. The actual expenses shall be itemized in a manner prescribed by the head of the agency which will permit at least a review of the amounts spent daily for (1) lodging, (2) meals, and (3) all other items of subsistence expenses. Receipts shall be required at least for lodging and laundry and cleaning expenses (except when coin-operated facilities are used). Expenses of local transportation incurred for any purpose during occupancy of temporary quarters shall be disallowed."

We view the above provision as vesting in the head of the agency the discretion to require receipts for additional types of subsistence expenses incident to review of the amounts spent daily.

We have been advised by the Department of the Interior that its regulations, applicable agency-wide, which implement paragraph 2-5.4 of the FTR require only that expenses for meals and food be reasonable. They do not require receipts for meals or food, nor do they delegate to the Service or regional levels authority to require receipts for such expenditures. Thus, as the Department of the

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Interior's regulations do not require receipts for groceries, Mr. Marcotte's itemized claim for such expenditures may be allowed if otherwise proper.

Milton J. Jacobson

For the Comptroller General
of the United States